

RECEIVED
CENTRAL FAX CENTER

1 / 18

NOV 15 2005

RAH:bk1 7228-70063-01 452577.doc 11/15/05

KLARQUIST SPARKMAN, LLP

16th Floor World Trade Center, 121 S.W. Salmon Street, Portland, Oregon 97204 U.S.A.

PHONE: 503-595-5300 FAX: 503-595-5301

PLEASE DELIVER DIRECTLY TO EXAMINER DAVID M. SHAY

Fax No.: 571-273-8300

Total No. Pages: 18 including this cover sheet

Message: Transmitted herewith for filing in the below-identified application is Amendment A and Remarks. If you do not receive all pages or if you have problems receiving transmittal, please call Ryan A. Heck, Ph.D. at (775) 824-0104. The fee (small entity) has been calculated as shown below.

In re application of: Robert F. Merchant, Jr.

Application No. 10/616,122

Filed: July 7, 2003

Confirmation No. 2208

For: METHOD OF USING RADIATION TO
TREAT CUTANEOUS AND SUB-
CUTANEOUS

Examiner: David M. Shay

Art Unit: 3739

Attorney Reference No. 7228-70063-01

CERTIFICATE OF FACSIMILE

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being facsimile transmitted to fax number 571-273-8300 on the date shown below.

Attorney or Agent
for Applicant(s)

Date Transmitted November 15, 2005

FEE CALCULATION FOR CLAIMS AS AMENDED

For	No. after amendment	No. paid for previously	Extra	Rate	Fee
Total Claims	47	48 =	0	\$25.00	\$ 0.00
Indep. Claims	6	6 =	0	\$100.00	\$ 0.00
Two-month Extension of Time (1 month = \$60.00 2 months = \$225.00 3 months = \$10.00)					\$225.00
TOTAL FEE FOR THIS AMENDMENT					\$225.00

*greater of twenty or number for which fee has been paid. **greater of three of number for which fee has been paid.

- ☒ Applicant petitions for an extension of time for two month(s), as indicated above. If an additional extension of time is required please consider this a petition therefor.
- ☒ Please charge this fee and any additional fees that may be required in connection with filing of this Amendment A and Remarks to Deposit Account 02-4550.
- ☒ If the Patent and Trademark Office determines that this amendment results in an additional application size fee for pages in excess of 100, please charge the fee to Deposit Account No. 02-4550.

Ryan A. Heck, Ph.D.
Registration No. 51,795

November 15, 2005

Date

cc: Docketing
Accounting

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS CONFIDENTIAL AND ONLY FOR THE INTENDED RECIPIENT IDENTIFIED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OR USE OF THIS COMMUNICATION IS UNLAWFUL. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE (COLLECT), RETURN THE ORIGINAL MESSAGE TO US, AND RETAIN NO COPY.

10616122

024550

00000051

11/17/2005

WABDELRI

225.00 DA

01 FC:2252

RECEIVED
CENTRAL FAX CENTERRAH:bk1 11/15/05 442941.doc
PATENTNOV 15 2005 Attorney Reference Number 7228-70063-01
Application Number 10/616,122

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Robert F. Merchant, Jr.

Application No. 10/616,122

Filed: July 7, 2003

Confirmation No. 2208

For: METHOD OF USING RADIATION TO
TREAT CUTANEOUS AND SUB-
CUTANEOUS

Examiner: David M. Shay

Art Unit: 3739

Attorney Reference No. 7228-70063-01

CERTIFICATE OF FACSIMILE

I hereby certify that this paper and the documents referred to
as being attached or enclosed herewith are being facsimile
transmitted to fax number 571-273-8300 on the date shown
below.Attorney or Agent
for
Applicant(s)

Date Mailed November 15, 2005

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

AMENDMENT A AND REMARKS

This responds to the Office Action dated June 16, 2005. Please amend the referenced
application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2.

Remarks begin on page 12.